

# Judicial Branch Budget Presentation

## Justice System Appropriations Subcommittee



January 24, 2012  
David K. Boyd  
State Court Administrator

# Judicial Branch Mission

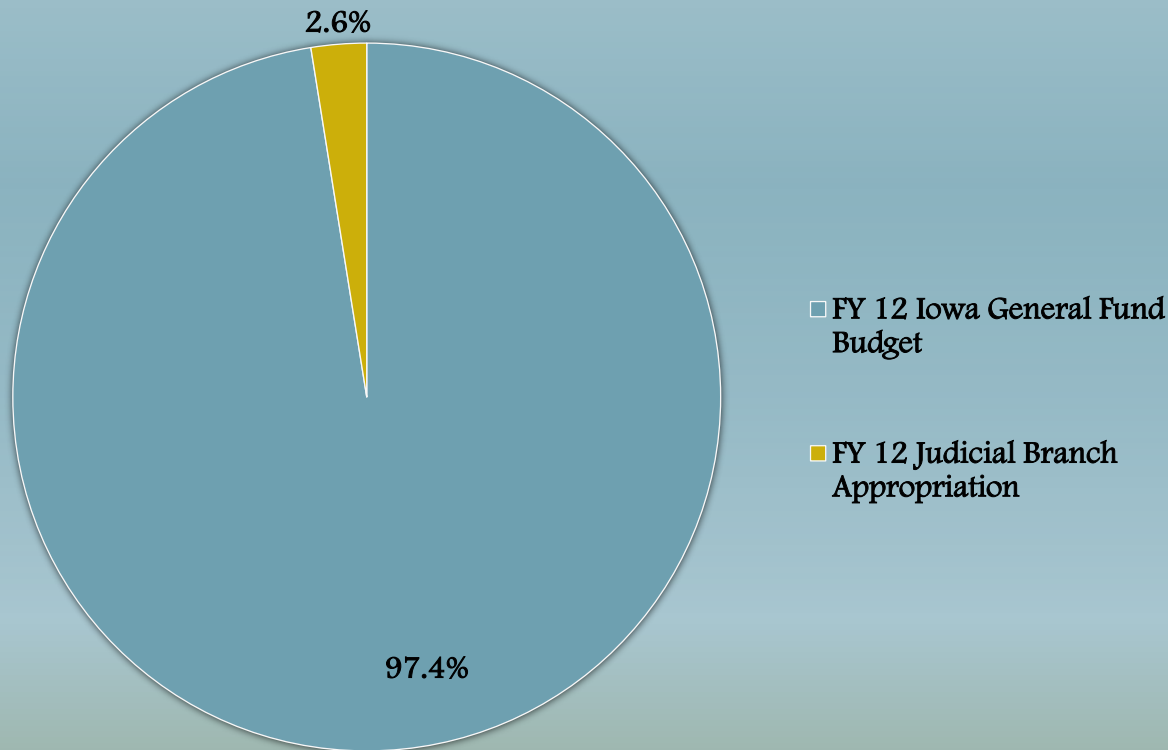
Our courts have a vital constitutional mission:

*“...to administer justice according to law equally to all people.”*

To accomplish our mission, we rely on judges, judicial magistrates, and court employees who work in unison to handle hundreds of thousands of court cases and to provide a broad range of court-related services.

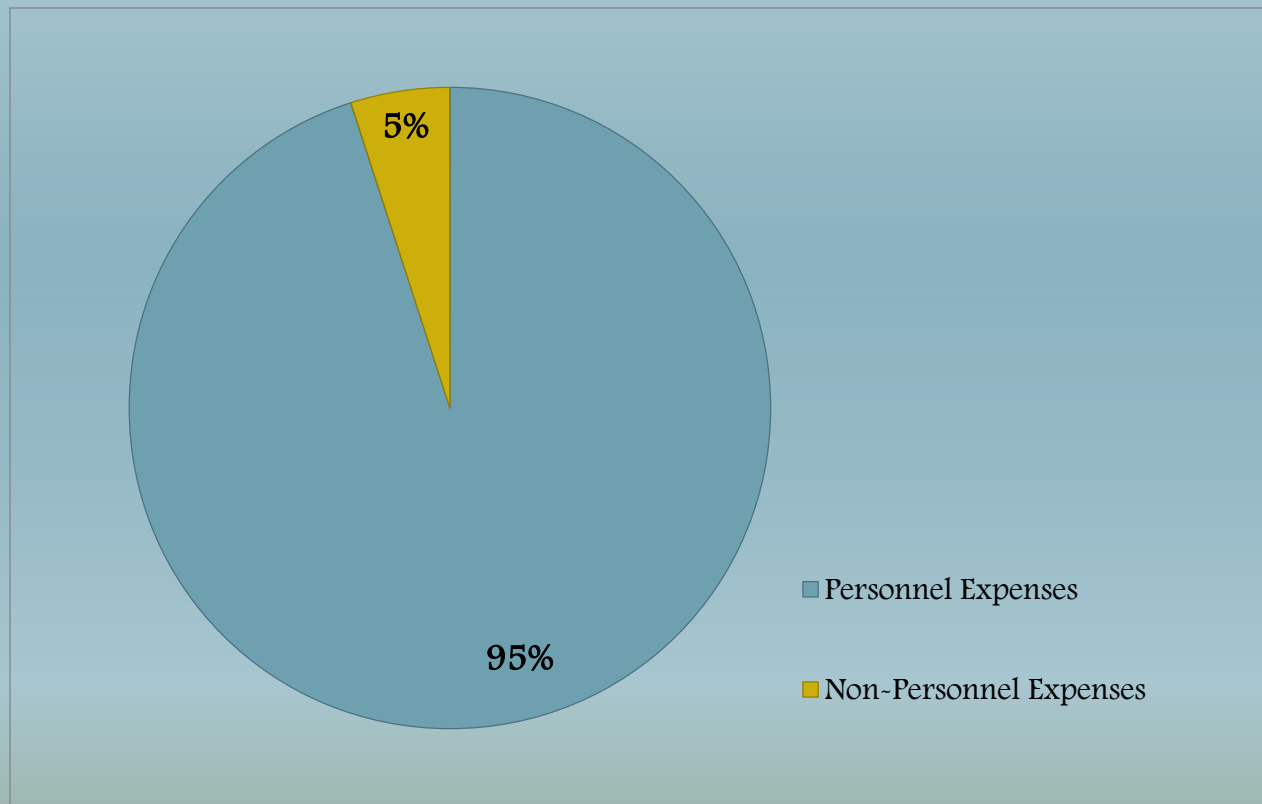
# Court Resources in Perspective

Iowa General Fund Appropriations FY 2012

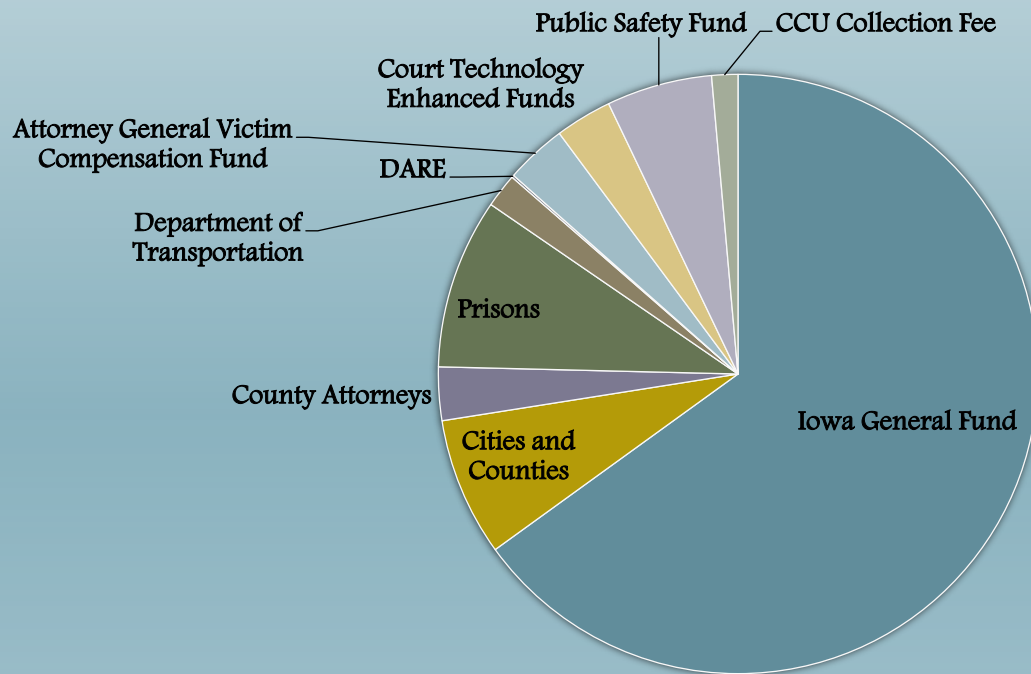


# Court Resources in Perspective

## Judicial Branch Expenses



# Court Generated Revenue



\$106.2 million-State General Fund

\$15.0 million-Prison Infrastructure Fund

\$12.2 million-Cities and Counties

\$9.3 million-Public Safety Fund

\$5.4 million-Attorney General Victim

Compensation Fund

\$5.0 million-Court Technology and Enhancement

\$4.7 million-County Attorneys

\$3.0 million-Department of Transportation

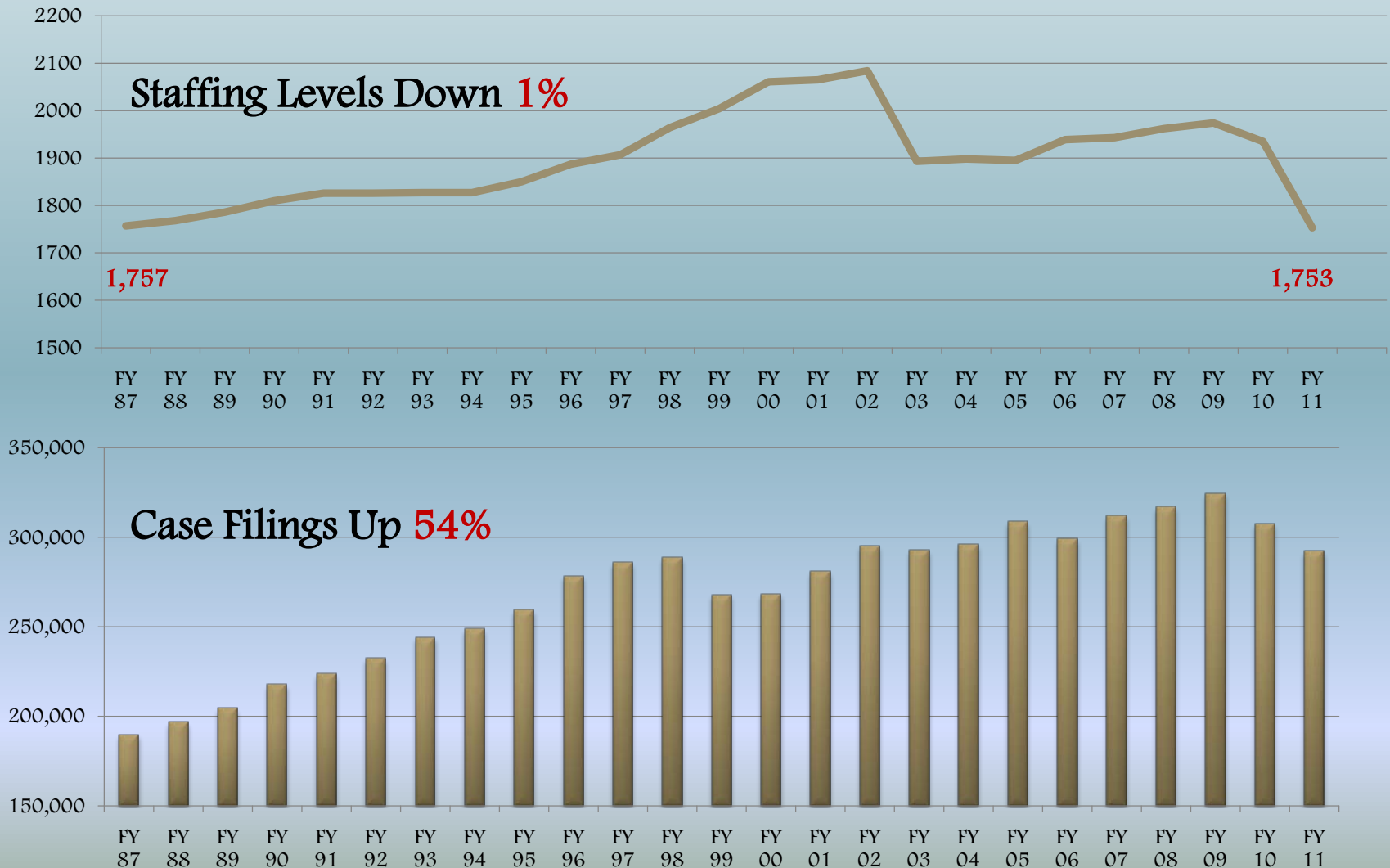
\$2.3 million-CCU Collection Fee

\$0.2 million-DARE

Each year, with the aid of several state and local government entities, Iowa's courts collect millions of dollars in fines and fees that directly benefit state and local government.

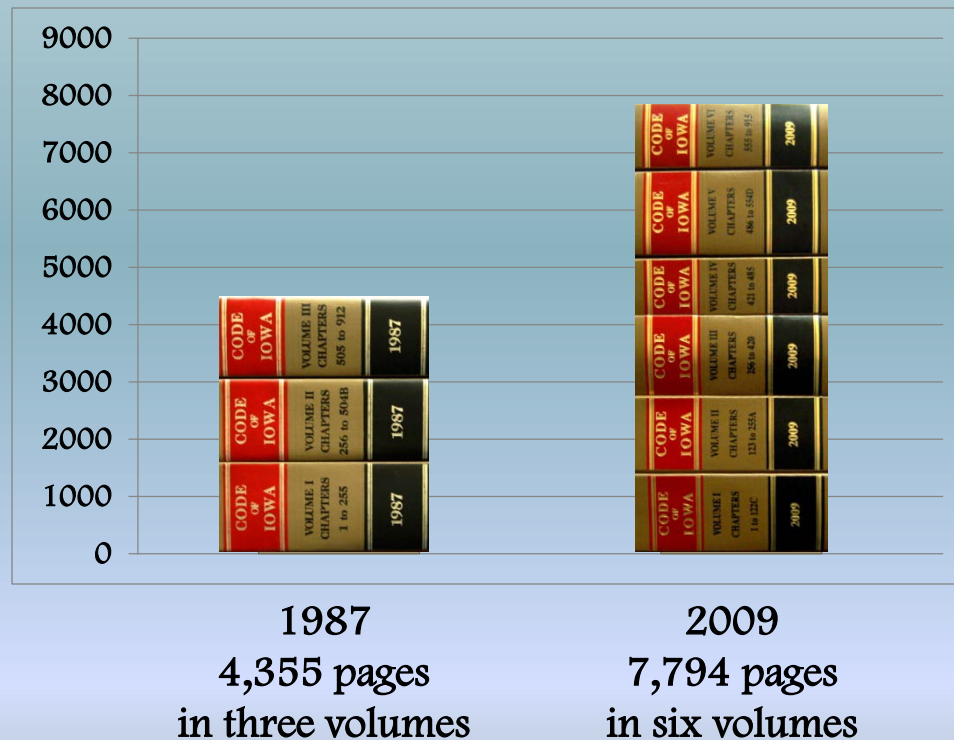
In FY 2011, **\$163.3 million** was generated by Iowa's courts

# Judicial Branch Staffing and Filing Trends 1987 ~ 2011



# Growth of the Iowa Code from 1987-2009\*

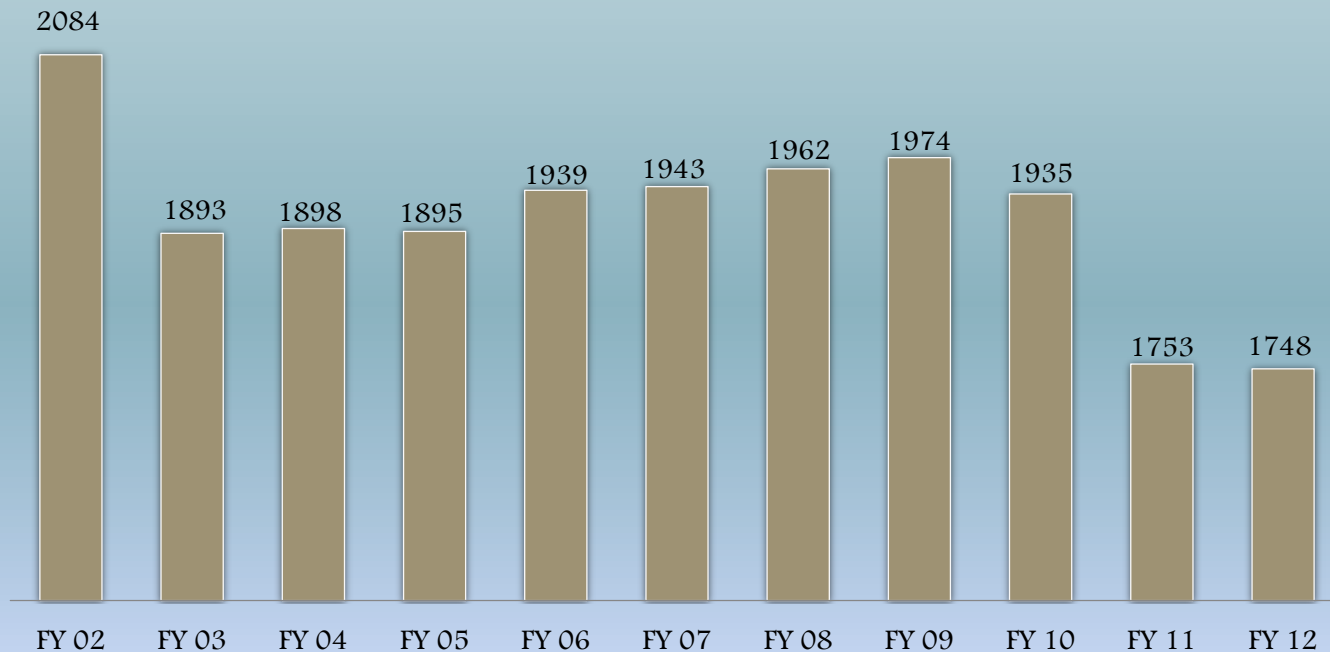
**79% Increase**



\*The 2011 Iowa Code contains 10,481 pages in 6 volumes. The Iowa Code Editor's Office modified the page format of the 2011 code.

# Judicial Branch Staffing Levels

**16% Drop** or 336 FTEs cut FY 2002 to present

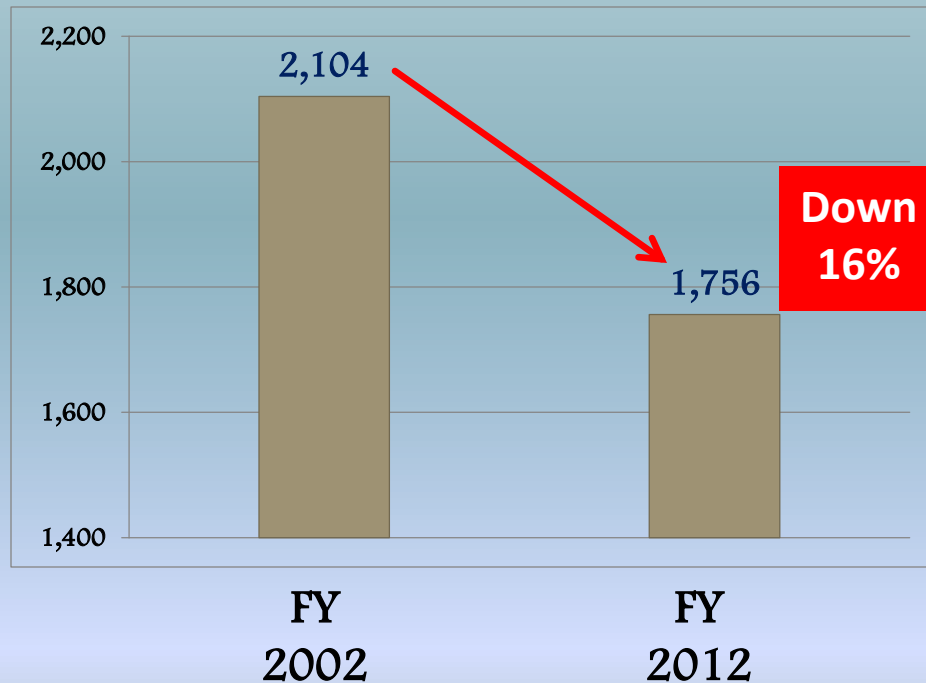




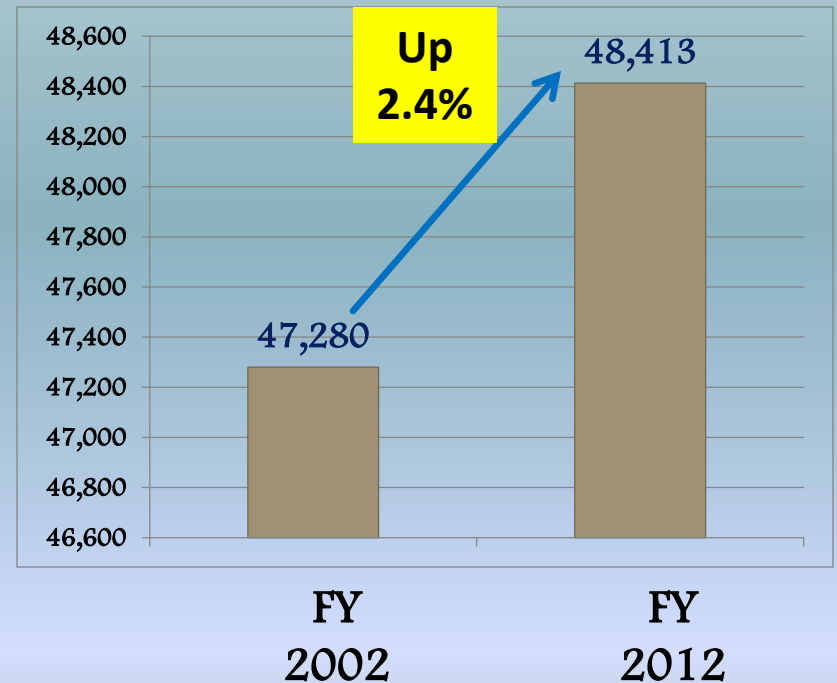
# FTE Positions

## FY 2002 compared to FY 2011

Judicial Branch



Executive Branch



From Legislative Services Agency December 29, 2011 Issue Review

# Impact on the Public

## Cuts impact children and families

- Slows down processing of child support payments
- Delays notice to law enforcement of protective orders
- Delays cases, including contempt actions to enforce orders
- Delays setting temporary and permanent support and custody/visitation orders

## In 2011, Iowa's courts handled:

- 17,016 dissolutions and modifications, 63% of which involved children
- 5,543 administrative child support cases (DHS)
- 6,607 civil domestic abuse actions
- 14,887 no-contact orders in criminal cases
- 10,987 civil protective orders in civil domestic abuse cases

# Impact on the Public

## **Cuts impact abused and neglected children**

Our courts play a life-altering role in the lives of abused and neglected children. They decide whether to:

- Remove a child from a parent
- Place a child in foster care
- Reunite a child and parent or terminate parental rights
- Allow adoption of a child

## **In 2011, Iowa's courts presided over:**

- 5,270 Child in Need of Assistance cases
- 1,840 Termination of Parental Rights

# Impact on the Public

Cuts impact our courts work to prevent and address juvenile delinquency

- JCOs have less time to visit with juvenile clients
- Delays responding to inquiries from school officials, law enforcement and families
- Delays in processing juvenile restitution
- Federal funds in jeopardy

In 2011, JCS worked with nearly **21,818 youths** to address their conduct without formal delinquency charges.

In addition, the juvenile court handled:

- 5,823 juvenile delinquency cases
- 1,516 juvenile mental health/substance abuse commitment cases

# Impact on the Public

## Cuts impact estate matters

- Delays distributions to beneficiaries
- Delays transfer of estate properties
- Delays closure of estates

## In 2011, Iowa's courts handled:

- 14,297 probate cases

# Impact on the Public

## **Cuts impact business and real estate transactions**

- Delays entering judgment lien information needed by abstractors
- Delays processing garnishments
- Delays filing liens
- Slows down resolution of small claims cases

## **In 2011, Iowa's courts handled:**

- 13,207 landlord/tenant cases
- 10,176 foreclosures
- 70,399 small claims cases
- 3,816 liens
- 11,354 collection of private debt cases
- 7,200 other contract and employment cases
- 7,309 other law and equity matters
- 3,064 tort claims

# Impact on the Public

## **Cuts impact criminal cases**

- Delays for probation revocation hearings
- Delays for criminal hearings
- Delays of warrant updates
- Delays in processing scheduled violations
- Delays entering no-contact orders

## **In 2011, Iowa's courts disposed of:**

- 22,529 felony charges
- 44,284 aggravated and serious misdemeanor cases
- 20,497 OWI cases
- 14,887 no-contact orders in criminal cases

# Impact on the Public

## Cuts impact cities and counties

- Prisoners may sit in jail longer, and thus, increase county jail costs
- Decreases in fine collection activities will decrease county and city revenue
- Delays in judicial review of condemnation cases and civil infractions
- Delays processing mental health and substance abuse commitments so respondents stay longer in local hospitals

## In 2011, Iowa's courts disposed of:

- 20,497 OWI cases
- 608,090 simple misdemeanors and scheduled violations
- 10,437 adult mental health/substance abuse commitment cases



# Impact on the Public

Cuts slow down data transfers to criminal justice agencies

- Criminal case history to Department of Public Safety
- Traffic conviction information to Department of Transportation
- Criminal and juvenile case data to Criminal and Juvenile Justice Planning
- Domestic abuse protection orders to Department of Public Safety

# Not so Status Quo Funding

## Inadequate Funding

- FY 11 total appropriation for operations \$154.1 million
- FY 12 total appropriation for operations \$154.1 million
- FY 12 operating expenses \$159.1
- **Operating deficit \$5.0 million**

## Making Ends Meet

- No pay increases for noncontract \$3.0 million
- Vacancy factor/judicial vacancies \$1.9 million

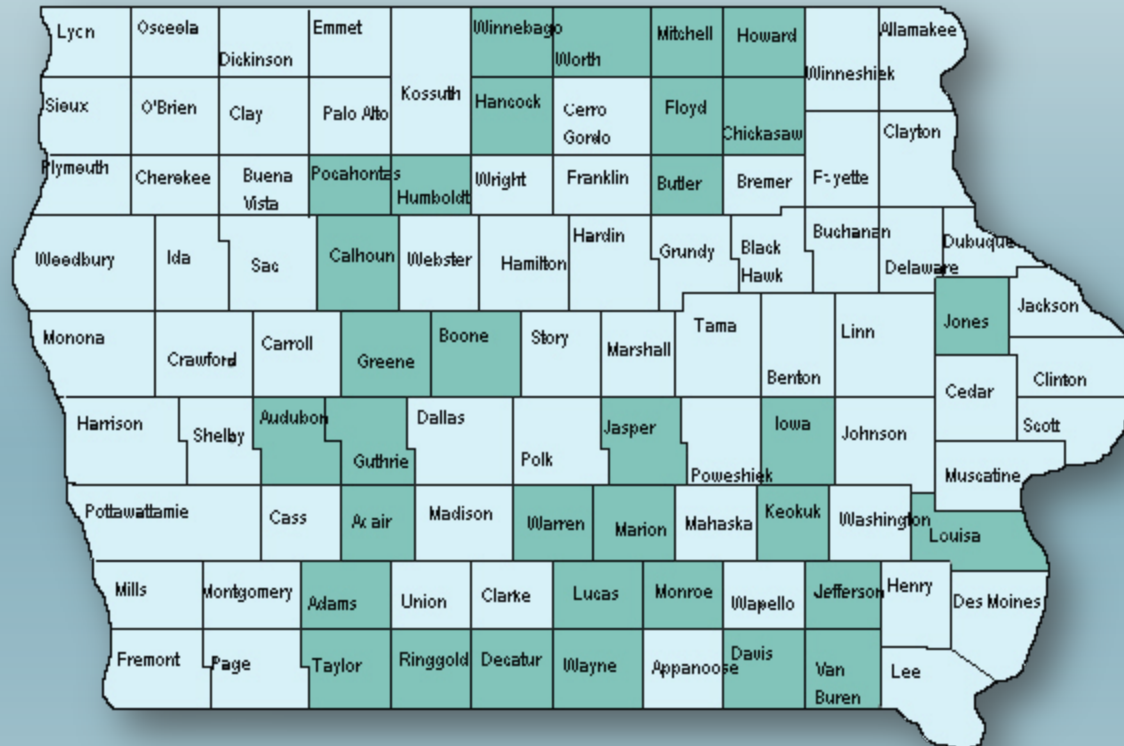
# Not so Status Quo Funding

Impact of 3 years with no funding of the salary adjustment bill

	<u>Salary Adjustment need</u>	<u>Salary Adjustment provided</u>
• FY 10	\$3.7 million	\$0
• FY 11	\$5.0 million	\$0
• FY 12	\$3.0 million*	\$0
• Total	\$11.7 million	\$0
• FY 13	\$2.7 million*	<b>\$???</b>

\* Contract covered only.

# Part-Time Clerks Offices in Iowa



Adair	Calhoun	Greene	Iowa	Lousia	Pocahontas	Wayne
Adams	Chickasaw	Guthrie	Jasper	Lucas	Ringgold	Winnebago
Audubon	Davis	Hancock	Jefferson	Marion	Taylor	Worth
Boone	Decatur	Howard	Jones	Mitchell	Van Buren	
Butler	Floyd	Humboldt	Keokuk	Monroe	Warren	

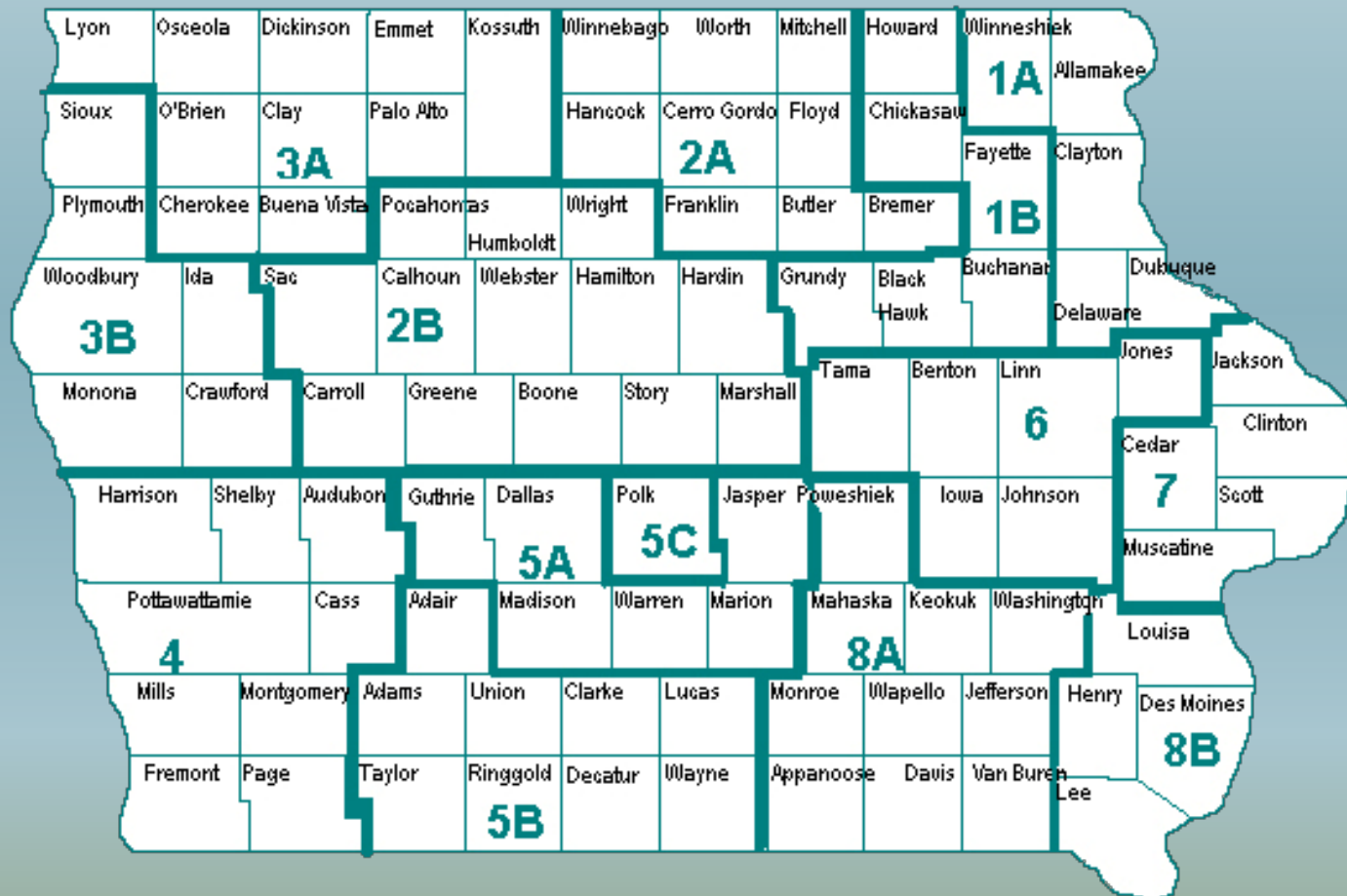
Counties in **RED** added in FY 12

# Not so Status Quo Funding

## FY 2012 Judicial Vacancies

<u>Vacancies</u>	<u>Date vacated</u>	<u>Date filled/hold</u>
District 1: District Judge	1/17/12	7/2/12
District 2: District Associate Judge	10/31/11	7/2/12
District Judge	1/1/12	7/2/12
District Judge	1/31/12	2/1/12
District 3: District Judge	4/22/12	7/2/12
District 5: District Judge—5C	9/8/11	10/8/11
Magistrate—5C	10/7/11	7/2/12
District Judge—5C	10/14/11	4/15/12
District Associate Judge—5A	10/19/11	2/1/12
District Judge—5C	3/1/12	7/2/12
District Judge—5B	4/3/12	6/15/12
District 6: Magistrate	12/9/11	7/2/12
District 7: Associate Juvenile Judge	2/3/12	3/1/12
District Judge	3/15/12	7/2/12
District 8: District Judge—8A	6/24/11	9/15/11

# Judicial Branch Districts



# FY 13 Judicial Branch Budget Request

FY 13 Judicial Branch Budget Request for Operations:  
**\$163.3 million**

- |  |                 |
|--|-----------------|
| • 100% of FY 12                          | \$154.1 million |
| • Total Decision Packages for operations | \$9.2 million   |
| • Increase                               | 6%              |

# FY 13 Judicial Branch Budget Request

**Decision Package #1:** **\$77,055,911**  
**Restores Status Quo Funding**

- Part of new 2-year budgeting process
- Restoration to 100% of FY 12 level or status quo
- Impact of status quo funding: without a salary bill to cover increased personnel costs due to collective bargaining agreements and salary and benefit annualization, the judicial branch will face laying off up to 40 FTE



# FY 13 Judicial Branch Budget Request

Decision Package #2: **\$2,228,915** (New Funds)  
Fulltime clerk of court offices statewide

- 53 FTE
- Goal is to get the clerk's offices open to the public full-time

# FY 13 Judicial Branch Budget Request

**Decision Package #3:** **\$2,451,722** (New Funds)  
**levels of court services and public access**

- 42 FTE
- 1st year of 2-year plan to rebuild judicial branch workforce
- When combined with Decision Package #2 restores one-half of positions cut in November 2009
- All components of the judicial branch receive proportionate share
  - Juvenile Court Services 20 FTE
  - Court Reporters 10 FTE
  - District Court Administration 5 FTE
  - Court of Appeals 1 FTE
  - Supreme Court/Clerk of Appellate Courts 1.5 FTE
  - State Court Administration 4.5 FTE

# FY 13 Judicial Branch Budget Request

Decision Package #4: **\$4,512,081** (New Funds)

**Expedite installation of electronic courts**

- 8 FTE (\$512,081)
- Staff to assist with implementation of EDMS
- Backfill (\$4 million) Enhanced Court Collections Fund to cover ICIS operations

# EDMS Implementation

## Features and Benefits

### **Court users features:**

- Remote access to cases 24 hours a day 7 days a week
- Electronic filing and retrieval of court documents by attorneys and case parties

### **Clerks features:**

- Clerk can review and monitor case data and filings electronically
- Clerks can sign and seal documents electronically
- Fees added and documents docketed automatically
- Court events scheduled electronically

### **Judges features:**

- Access court cases and documents electronically
- Easy access to case dockets electronically
- Create order and file electronically
- Tasks and filings organized by judicial assignments and jurisdiction automatically

# EDMS Implementation

## Benefits of EDMS for Court Users

- Remote access to the official court file by registered case parties at all times
- Service of documents electronically
- Access to all a party's case files, notifications, and case information in one location
- Greater transparency for case parties through electronic notifications
- Reduced paper handling and storage
- Reduced cost for paper, ink, postage, and faxing
- Reduced travel time to the clerk's office and courthouse
- Public access to non-confidential cases and documents at county courthouses

# EDMS Implementation

## Benefits of EDMS for Court Employees

- Secure access to the official court file at all times
- Streamlined docketing
- Access to multiple counties from any location for judges
- Minimal paper flow to shorten case processing time
- Increased efficiency and consistency with use of electronic templates
- Reduced paper handling, filing, and retrieval time
- Reduced storage costs
- Reduced costs for paper, ink, postage, and faxing

# FY 13 Judicial Branch Budget Request

## Jury and Witness Fee Revolving Account

Decision Package #1: \$800,000 (New Funds)

### Jury and Witness Fees

- Average annual expenditure: \$3.0 million
- Base budget: \$2.3 million
- Additional request for FY 13: \$800,000

Questions?